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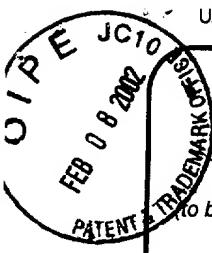
PTO/SB/21 (08-00)

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Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

29

Application Number	09/833,097
Filing Date	April 4, 2001
First Named Inventor	Kennedy, James C.
Group Art Unit	NYA
Examiner Name	NYA

Attorney Docket Number

EHP-001.01

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s) (Fig. 1-22)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>Copy of Notice to File Missing Parts of Nonprovisional Application; and Postcard</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.53(b)		
	Remarks	Customer #25181

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Robert A. Greenberg
Signature	
Date	01/03/02

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 01/03/02

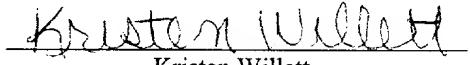
Typed or printed name	Kristen Willett
Signature	
Date	01/03/02

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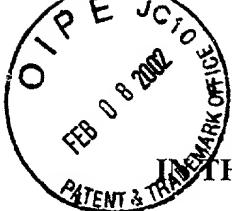
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Kristen Willett

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James C. Kennedy, et al.

Serial No: 09/833,097

Filed: April 4, 2001

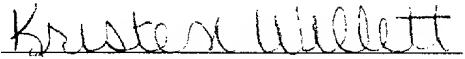
For: Claim Processing

Art Unit: NYA

Attorney Document No. EHP-001.01

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Kristen Willett

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

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Commissioner for Patents  
Washington, DC 20231

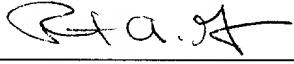
Sir:

Enclosed is a check in the amount of \$1,167.00 to cover the basic filing fee, extra claims and filing surcharge, as well as substitute drawing sheets in Compliance with 37 CFR 1.84.

Although we believe that we have submitted the correct amount to cover the above-listed items, the Commissioner is authorized to credit any overpayment or charge any deficiencies to our Deposit Account No. 06-1448.

Respectfully Submitted,

Date: January 3, 2002

  
Robert A. Greenberg  
Reg. No. 44, 133

**Customer No: 25181**  
Patent Group  
Foley, Hoag & Eliot LLP  
One Post Office Square  
Boston, MA 02109-2170

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WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/833,097	04/10/2001	James C. Kennedy	EHP-001.01



Patent Group  
Foley, Hoag & Eliot LLP  
One Post Office Square  
Boston, MA 02109-2170

CONFIRMATION NO. 8877

## FORMALITIES LETTER



\*OC000000006151520\*

Date Mailed: 06/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$728.
  - \$648 for 72 total claims over 20.
  - \$80 for 2 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1148.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (**5/8 inch**), and a bottom margin of at least 1.0 cm. (**3/8 inch**);

02/12/2002 MBERHE 00000040 09833097

01 FC:201	370.00 OP
02 FC:205	65.00 OP
03 FC:203	648.00 OP
04 FC:202	84.00 OP

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*Table 2*

*A copy of this notice MUST be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE